

# **Exhibit E**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
FLORENTINO MALGADEJO, on  
behalf of himself and all others similarly situated,

Plaintiffs,

-against-

12-cv-06852 (RA) (HBP)

S & D FRUITS & VEGETABLES INC., SAL'S FRUIT,  
VEGETABLE AND GROCERY INC., and  
SAMUEL OLEA, an individual,

Defendants.  
-----X

EDITH HERNANDEZ declares as follows:

1. I am an opt-in Plaintiff in this lawsuit because I was not properly compensated by Defendants.
2. I was employed at Sal's Fruits & Grocery from May 2006-April 2010.
3. Defendants failed to properly pay me overtime from May 2006-April 2010.
4. From May 2006-April 2010 I worked from 8:00 a.m.-9:00 p.m. from Monday-Sunday and was paid \$6.25/hour for all hours worked and paid in cash.

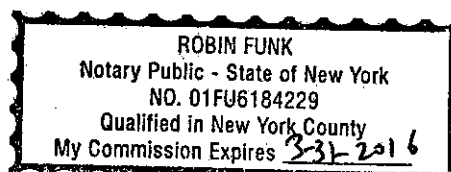
I declare under penalty of perjury that the foregoing is true and correct.

Executed NY, New York, New York, on this 20 day of April 2013.

  
EDITH HERNANDEZ

Subscribed and sworn to before me  
this 20 day of April, 2013

R 2  
Notary Public



TRIBUNAL DE DISTRITO DE LOS ESTADOS UNIDOS  
DISTRITO SUR DE NUEVA YORK

-----X  
FLORENTINO MELGADEJO, en  
representación de sí mismo y de otras personas en situación similar,

Demandantes,

- contra -

12-cv-06852 (RA) (HBP)

S & D FRUITS & VEGETABLES INC., SAL'S FRUIT,  
VEGETABLE AND GROCERY INC., y  
SAMUEL OLEA, un individuo,

Demandados.  
-----X

EDITH HERNANDEZ declara lo siguiente:

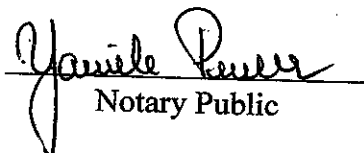
1. Yo entre a esta demanda porque no fui compensado adecuadamente por los Demandados.
2. Yo trabaje en Sal's Fruits & Grocery desde mayo 2006-abril 2010.
3. Los acusados fallaron en compensarme adecuadamente por las horas extras desde mayo 2006-abril 2010.
4. Desde mayo de 2006 hasta abril de 2010 yo trabajaba de 8:00 am-9:00 pm de lunes a domingo y me pagaron \$6.25/hora por todas las horas trabajadas y me pagaban en efectivo.

Declaro bajo pena de perjurio que lo que antecede es verdadero y correcto.

Otorgada en Great Neck, Nueva York, 30 del mes de April de 2013.

  
EDITH HERNANDEZ

Subscribed and sworn to before me  
this 30 day of April, 2013

  
Notary Public

YAMILE Z. PRENDES  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01PR6271717  
Qualified In Queens County  
My Commission Expires November 05, 2016